



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 23 2014

Mr. Bill Ross, Plant Manager
American Hardwood Industries d/b/a Augusta Lumber Company LLC
4307 Plank Road
North Garden, VA 22959

Re: Augusta Lumber, LLC and 4307 Plank Road, North Garden, Virginia

Dear Mr. Ross:

The purpose of this letter is to determine whether you/your facility is in compliance with the Spill Prevention, Control and Countermeasures (SPCC) Regulations found at Title 40 C.F.R. Part 112.

The U.S. Environmental Protection Agency (EPA) is currently reviewing an inspection screening report dated February 10, 2014 for your Facility located at 4307 Plank Road, North Garden, Albemarle County, Virginia. In order to resolve any outstanding issues, you/your facility is hereby required to submit to EPA the information requested herein within thirty (30) days of your receipt of this letter pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

1. Does your Facility store oil in the amount of 1,320 gallons or more above ground, (using a de minimus container size of 55 gallons), or store oil in excess of 42,000 gallons underground (excluding completely buried storage tanks subject to all the technical requirements of the Underground Storage Tank (UST) regulations [40 C.F.R. Parts 280 or 281])? Yes or No: _____

If the answer to Question 1 is "No", answer Question 6 only, and return this document to EPA. If the answer is "Yes", on a separate sheet, answer Questions 2, 3, 4 and 5 and then continue filling in the blanks for the remaining questions.

2. List the full names of all owners of the Facility, including persons and incorporated or unincorporated entities. Include the dates of ownership for each person/entity listed.

13. Describe the surface water body nearest to and provide the distance from the Facility.
Distance: _____
 - a. Is the water, as described above, a navigable waterway? (*See Enclosure 1 for definition.*) Yes or No: _____
 - b. Is the water a tributary of or physically connected to a navigable waterway? Yes or No: _____
 - c. If the answer to 13(b) is yes, describe or name the tributary(s) or describe the physical connections.

 - d. If the answer to 13(b) is no, does the water described above in Item 13 periodically connect with or flow into any hydrological or creek system? If yes, describe the flow and connection.

14. List the date of your SPCC Plan. _____
 - a. List the date you last conducted a Plan review. _____
15. Has your Facility had a single discharge, as described in 40 CFR Part 112.1(b), greater than 1,000 gallons of oil in the past 12 months? Yes or No: _____
 - a. If yes, provide the date of spill? _____
16. Has your Facility had two discharges, as described in 40 CFR Part 112.1(b), of more than 42 gallons of oil each within any 12 months? Yes or No: _____
 - a. If yes, provide the dates of spills?

17. Does your plan include a prediction of equipment failure(s), which would result in a discharge (*see Enclosure 1 for definition*) from the Facility per 40 C.F.R. § 112.7(b)?
Yes or No: _____
18. Does your SPCC Plan contain a complete discussion of how your Facility complies with the requirements for inspections and records that are set forth in 40 C.F.R. § 112.7(e)?
Yes or No: _____

If you/your facility fail to properly respond to this request, you/your facility may be subject to the following penalties. Pursuant to Section 309(g) of the Act, 33 U.S.C. § 1319(g), any person who violates Section 308 of the Act is subject to administrative penalties. Pursuant to Section 309(d) of the Act, 33 U.S.C. § 1319(d), any person who violates Section 308 of the Act is subject to a civil penalty of up to \$37,500 per day of violation. In addition, pursuant to Section 309 (c)(1) of the Act, 33 U.S.C. § 1319(C)(1), any person who negligently violates Section 308 of the Act may be punished by a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or by both.

In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Your response should be submitted within **thirty (30) days** of your receipt of this letter to:

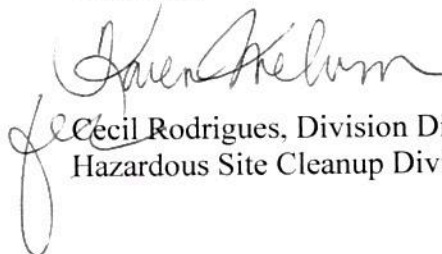
**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III, ANDREA BAIN
OIL AND PREVENTION BRANCH (3HS61)
1650 ARCH STREET
PHILADELPHIA, PA 19103-2029**

Enclosed for your review and information is a copy of the Oil Pollution Prevention Outreach Material CD, dated March 2014, as prepared by EPA, Region III. This CD includes applicable regulations; 40 C.F.R. Part 109, 40 C.F.R. Part 110, 40 C.F.R. Part 112, and 33 C.F.R. §§ 153.201, 153.203, 153.205; in addition to Region III's SPCC and Facility Response Plan (FRP) Information Guides. For the most recent information concerning the Oil Pollution Prevention Regulations, including the SPCC Guidance for Regional Inspectors, please consult the National EPA Oil Program website at: <http://www.epa.gov/oilspill>.

This information request is not subject to review by the Director of OMB pursuant to the requirements of the Paperwork Reduction Act, 44 U.S.C. § 3507.

If you have any questions on this matter, you may call Andrea Bain at (215) 814-3292.

Sincerely,



Cecil Rodrigues, Division Director
Hazardous Site Cleanup Division

Enclosures

cc: case file

ENCLOSURE

DEFINITIONS

Discharge: For purposes of Section 311 of the Act, a discharge to navigable waters or adjoining shorelines includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, but excludes certain discharges in compliance with a permit under Section 402 of the Act.

Navigable Waters: Navigable waters of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes: (1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters; (2) Interstate waters; (3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

Mobile Refueler: Mobile refueler means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

Oil-filled Operational Equipment: Oil-filled operational equipment means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (*e.g.*, those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.